




UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555

IN RESPONSE, PLEASE
REFER TO: M821014C

October 19, 1982

OFFICE OF THE
SECRETARY

MEMORANDUM FOR THE RECORD

FROM: Samuel J. Chilk, Secretary 

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION/DISCUSSION
AND VOTE, 3:30 P.M., THURSDAY, OCTOBER 14,
1982, COMMISSIONERS' CONFERENCE ROOM, D.C.
OFFICE (OPEN TO PUBLIC ATTENDANCE)

SECY-82-389 - Metropolitan Edison Company (Three Mile Island,
Unit 1), Docket No. 50-289 SP (Restart)

The Commission,* by a vote of 4-1 (Commissioner Gilinsky disapproving), approved an Order as modified that addresses several issues related to the TMI-1 Restart Proceeding. The Order finds that the Licensing Board did not have jurisdiction to impose a \$100,000 fine, refers the matter to staff to determine whether civil penalty proceedings should be instituted, and directs staff to investigate whether the licensee made a material false statement when it certified that the individual identified as vv was certified to take an operator license exam in 1979.

(Subsequently, on October 14 the Secretary signed the Order with the separate views of Commissioners Gilinsky and Roberts attached.)

cc: Chairman Palladino
Commissioner Gilinsky
Commissioner Ahearne
Commissioner Roberts
Commissioner Asselstine
Commission Staff Offices
EDO
PDR - Advance
✓DCS - 016 Phillips

* Section 201 of the Energy Reorganization Act, 42 U.S.C § 5841, provides that action of the Commission shall be determined by a "majority vote of the members present." Commissioner Roberts was not present when this item was affirmed, but had previously indicated that he would approve. Had Commissioner Roberts been present, he would have affirmed his prior vote. Accordingly, the formal vote of the Commission was 3-1 in favor of the decision.